

REMARKS

Applicant appreciates the time taken by the Examiner to review Applicant's present application. This application has been carefully reviewed in light of the Official Action mailed November 1, 2005. Applicant respectfully requests reconsideration and favorable action in this case.

Double Patenting Rejection

Applicant respectfully wishes to clarify that Applicant agreed that some aspects of the present invention are consistent with items addressed in issued applications and copending applications and reexaminations. Additionally Applicant agreed to submit a terminal disclaimer to obviate the Examiner's double patenting rejection. The submission of the terminal disclaimer is not an admission as to the propriety of the double patenting rejection. See, MPEP 804.02.

In the double patenting rejection, the Examiner listed the following related cases. To aid the Examiner, Applicant provides the following listing and status of each of the cases

09/001,799 issued as 5,941,972, under reexamination as 90/007,123 and 90/007,317

09/354,682 issued as 6,421,753, under reexamination as 90/007,124

09/081,110 issued as 6,789,152

10/081,114 now abandoned

10/023,786 now abandoned

09/965,335 issued as 6,425,035, under reexamination as 90/007,125

10/174,720 issued as 6,738,854, under reexamination as 90/007,127

09/965,339 issued as 6,425,036, under reexamination as 90/007,126

10/081,082 now abandoned

10/361,283 issued as 6,763,419

10/638,955 now abandoned

10/640,468 now abandoned

11/191,254 pending

Attorney Docket No.
CROSS1120-13

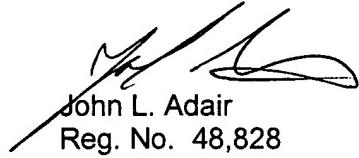
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The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

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